

106TH CONGRESS  
2D SESSION

# H. R. 5195

To provide for the establishment of the position of Deputy Administrator for Science and Technology of the Environmental Protection Agency, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 18, 2000

Mr. EHLERS introduced the following bill; which was referred to the Committee on Science

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## A BILL

To provide for the establishment of the position of Deputy Administrator for Science and Technology of the Environmental Protection Agency, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. DEPUTY ADMINISTRATORS.**

4       (a) DEPUTY ADMINISTRATOR FOR SCIENCE AND  
5       TECHNOLOGY.—

6               (1) APPOINTMENT.—The President shall ap-  
7       point, by and with the advice and consent of the  
8       Senate, a Deputy Administrator for Science and  
9       Technology of the Environmental Protection Agency.

1           (2) RESPONSIBILITIES.—The Deputy Adminis-  
2           trator for Science and Technology shall have overall  
3           responsibility for the scientific and technical founda-  
4           tion of Environmental Protection Agency decisions,  
5           including being responsible for—

6                   (A) identifying and defining the important  
7           scientific issues facing the Environmental Pro-  
8           tection Agency, including those embedded in  
9           major policy or regulatory proposals;

10                   (B) developing and overseeing an inte-  
11           grated agencywide strategy for acquiring, dis-  
12           seminating, and applying information;

13                   (C) ensuring that the complex scientific  
14           outreach and communication needs of the Envi-  
15           ronmental Protection Agency are met, including  
16           the need to reach throughout the Agency for  
17           credible science in support of the regulatory of-  
18           fices, regions, and Agency-wide policy delibera-  
19           tions, as well as the need to reach out to the  
20           broader domestic and international scientific  
21           community for scientific knowledge that is rel-  
22           evant to an Agency policy or regulatory issue;

23                   (D) coordinating and overseeing scientific  
24           quality assurance and peer review practices

1 throughout the Environmental Protection Agen-  
2 cy; and

3 (E) developing processes to ensure that ap-  
4 propriate scientific information is used in deci-  
5 sionmaking throughout the Environmental Pro-  
6 tection Agency, and ensuring that the scientific  
7 and technical information underlying each Envi-  
8 ronmental Protection Agency regulatory deci-  
9 sion is valid, appropriately characterized in  
10 terms of scientific uncertainty and cross-media  
11 issues, and appropriately applied.

12 (3) QUALIFICATIONS.—An individual appointed  
13 under paragraph (1) shall have an outstanding tech-  
14 nical background, including research accomplish-  
15 ments, scientific reputation, and experience in public  
16 forums.

17 (4) CONSULTATION.—Before appointing an in-  
18 dividual under paragraph (1), the President shall  
19 consult with the National Academy of Sciences, the  
20 National Academy of Engineering, the Science Advi-  
21 sory Board of the Environmental Protection Agency,  
22 and other appropriate scientific organizations.

23 (5) COMPENSATION.—The Deputy Adminis-  
24 trator for Science and Technology shall be com-  
25 pensated at the rate provided for level III of the Ex-

1        executive Schedule pursuant to section 5314 of title 5,  
2        United States Code.

3        (b) DEPUTY ADMINISTRATOR FOR POLICY AND MAN-  
4        AGEMENT.—The position of Deputy Administrator of the  
5        Environmental Protection Agency shall be redesignated as  
6        the Deputy Administrator for Policy and Management,  
7        and the individual serving in that position as of the date  
8        of the enactment of this Act shall assume such title.

9        (c) CONFORMING AMENDMENT.—Section 5314 of  
10       title 5, United States Code, is amended by striking the  
11       item relating to the Deputy Administrator of the Environ-  
12       mental Protection Agency and inserting the following:

13                “Deputy Administrator for Policy and Manage-  
14       ment of the Environmental Protection Agency.

15                “Deputy Administrator for Science and Tech-  
16       nology of the Environmental Protection Agency.”.

17       **SEC. 2. ASSISTANT ADMINISTRATOR FOR RESEARCH AND**  
18       **DEVELOPMENT.**

19        (a) TITLE AND TERM.—One of the Assistant Admin-  
20       istrators of the Environmental Protection Agency shall be  
21       designated as the Assistant Administrator for Research  
22       and Development, and shall also have the title of Chief  
23       Scientist of the Environmental Protection Agency. Ap-  
24       pointments to such position made after the date of the  
25       enactment of this Act shall be for a term of 6 years.

1       (b) QUALIFICATIONS.—An individual appointed  
2 under subsection (a) shall have an outstanding technical  
3 background, including research accomplishments, sci-  
4 entific reputation, and experience in leading a research  
5 and development organization.

6 **SEC. 3. SENSE OF CONGRESS CONCERNING OTHER ACTIVI-**  
7 **TIES OF OFFICE OF RESEARCH AND DEVEL-**  
8 **OPMENT.**

9       It is the sense of Congress that—

10       (1) the Office of Research and Development  
11       should—

12               (A) make a concerted effort to give re-  
13       search managers of the Office a high degree of  
14       flexibility and accountability, including empow-  
15       ering the research managers to make decisions  
16       at the lowest appropriate management level  
17       consistent with the policy of the Environmental  
18       Protection Agency and the strategic goals and  
19       budget priorities of the Office;

20               (B) maintain approximately an even bal-  
21       ance between core research and problem-driven  
22       research;

23               (C) develop and implement a structured  
24       strategy for encouraging, and acquiring and ap-  
25       plying the results of, research conducted or

1 sponsored by other Federal and State agencies,  
2 universities, and industry, both in the United  
3 States and in foreign countries; and

4 (D) substantially improve the documenta-  
5 tion and transparency of the decisionmaking  
6 processes of the Office for—

7 (i) establishing research and tech-  
8 nical-assistance priorities;

9 (ii) making intramural and extra-  
10 mural assignments; and

11 (iii) allocating funds; and

12 (2) the Administrator of the Environmental  
13 Protection Agency should—

14 (A) substantially increase the efforts of the  
15 Agency—

16 (i) to disseminate actively the research  
17 products and ongoing projects of the Office  
18 of Research and Development;

19 (ii) to explain the significance of the  
20 research products and projects; and

21 (iii) to assist other persons and enti-  
22 ties inside and outside the Agency in ap-  
23 plying the results of the research products  
24 and projects;

1 (B)(i) direct the Deputy Administrator for  
2 Science and Technology to expand on the  
3 science inventory of the Agency by conducting,  
4 documenting, and publishing a more com-  
5 prehensive and detailed inventory of all sci-  
6 entific activities conducted by Agency units out-  
7 side the Office, which inventory should include  
8 information such as—

9 (I) project goals, milestones, and  
10 schedules;

11 (II) principal investigators and project  
12 managers; and

13 (III) allocations of staff and financial  
14 resources; and

15 (ii) use the results of the inventory to en-  
16 sure that activities described in clause (i) are  
17 properly coordinated through the Agency-wide  
18 science planning and budgeting process and are  
19 appropriately peer reviewed; and

20 (C) change the peer-review policy of the  
21 Agency to more strictly separate the manage-  
22 ment of the development of a work product  
23 from the management of the peer review of that  
24 work product, thereby ensuring greater inde-  
25 pendence of peer reviews from the control of

1           program managers, or the potential appearance  
2           of control by program managers, throughout  
3           the Agency.

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